



Horsham District Council

Application for a Lawful Development Certificate for a Proposed Use or Development

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x) Northing (y)

Description

Applicant Details

Name/Company

Title

Mr

First name

Gavin

Surname

Warnfeldt Rush

Company Name

Quarters Projects

Address

Address line 1

58 Thelton Avenue

Address line 2

Address line 3

Town/City

Broadbridge Heath

County

West Sussex

Country

Postcode

RH12 3LT

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Applicant Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

Company Name

Address

Address line 1

Address line 2

Address line 3

Town/City

County

Country

Postcode

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

- ☒ Yes
- ☐ No

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

Proposed Operations: Replacement of Existing Ground Floor Rear Conservatory with Timber-Framed Garden Room

1. Overview & Scope of Works

The proposed development consists of the careful dismantling and removal of an existing single-storey rear conservatory and the construction of a high-performance, timber-framed replacement structure on the exact existing footprint.

2. Substructure & Footprint

Foundation: The existing 200mm concrete slab foundation is structurally sound, level, and will be fully retained without any excavation, enlargement, or alteration.

Footprint & Dimensions: The replacement structure sits directly on the perimeter of the existing concrete base. There is zero increase in external gross floor area, width, or projection from the original rear wall of the host dwelling.

3. Superstructure, Roof & Height

Roof Geometry & Pitch: The single-storey pitched roof matches the identical roof line, slope, and pitch of the existing conservatory.

Height Constraints: The maximum ridge height and eaves height remain strictly unchanged from the original structure, ensuring full compliance with the height limits set out under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

4. External Finishes & Fenestration

Wall Cladding: High-grade vertical larch timber cladding fixed to treated battens with breathable membrane and thermal insulation.

Roof Covering: Lightweight, durable bitumen shingle roof tiles to match the lower-profile finish, fitted with flush-fitting Velux rooflights to maintain high levels of natural daylight.

Fenestration: Contemporary anthracite grey double-glazed window and door units installed with matching cills and trims.

5. Thermal Separation & Building Services

Thermal Separation: The existing external-quality French doors dividing the main dwelling from the conservatory space are retained in full. The new space will remain completely separated from the heated envelope of the main house.

Independent Heating: The structure will not connect to the central gas heating system of the main residence. Space heating will be supplied solely via an independent, thermostatically controlled electric radiator/heater to maintain distinct environmental zones.

Drainage: Surface rainwater from the roof will be collected via new anthracite gutters and downpipes discharging into the existing rainwater soakaway system with no increase in run-off volume.

6. Permitted Development Compliance Summary

No part of the structure extends beyond a wall forming the principal elevation of the original dwellinghouse.

Single-storey rear extension not exceeding 4 metres in height.

The eaves height does not exceed 3 metres where within 2 metres of a boundary.

No verandas, balconies, raised platforms, or microwave antennas are proposed.

The total area of ground covered by buildings within the curtilage (other than the original dwelling) will not increase.

Does the proposal consist of, or include, a change of use of the land or building(s)?

☐ Yes

☒ No

Has the proposal been started?

☐ Yes

☒ No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

Justification of Lawful Use and Rationale for Proposed Operations

1. Lawfulness of the Existing Building

The existing single-storey rear conservatory is an established structure that has been in continual residential use as part of the main dwellinghouse for over 20 years. Because the structure was substantially completed more than four years ago (and well over the 10-year period for changes of use or breaches of condition), it is entirely immune from any enforcement action under Section 171B of the Town and Country Planning Act 1990. Consequently, the existing conservatory and its 200mm concrete foundation hold a demonstrably lawful status as an integral part of the residential curtilage (Use Class C3).

2. Rationale for Alteration and Replacement

The proposed works are fundamentally a modernization and thermal upgrade of this existing lawful footprint, driven by the fact that the current structure has reached the end of its serviceable lifespan. The replacement is necessary for the following reasons:

Thermal Inefficiency: The 20-year-old glazing and framing lack modern insulation standards. The space suffers from extreme temperature fluctuations, rendering it unusable for much of the year—prohibitively hot due to solar gain in the summer, and excessively cold in the winter.

Structural Degradation: The existing roof and framework have degraded over time and currently suffer from water ingress and active leaks, threatening the fabric of the adjoining main house.

Energy Conservation: Replacing the obsolete glazed structure with a highly insulated timber-framed room, clad in larch and topped with a thermally efficient bitumen shingle roof, will drastically improve the environmental performance of the footprint.

Sustainable Construction: By retaining and reusing the existing heavy concrete slab foundation, the project minimizes ground disturbance and reduces the embodied carbon impact of the build.

3. Lawfulness of the Proposed Development

Because the existing conservatory is legally established, replacing its superstructure without expanding its envelope falls squarely within the householder Permitted Development rights (Schedule 2, Part 1, Class A of the General Permitted Development Order 2015). The proposed development is a one-for-one volumetric replacement that utilizes the exact same footprint, foundation, and roof pitch, while introducing superior materials to resolve the severe dilapidation and thermal failures of the existing 20-year-old building.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

For a Lawful Development Certificate for Proposed works, the "documentary evidence" the council is looking for is actually your technical drawings and written statements. Since you aren't relying on a past planning permission, your architectural plans are the legal proof that the build falls under Permitted Development.

You can use the following text for your form:

As this application seeks a Lawful Development Certificate for proposed works under Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, there is no prior planning permission to reference. The documentary evidence accompanying this application consists of the technical scale drawings and supporting statements that demonstrate the replacement structure strictly adheres to all permitted development volumetric and height constraints.

The following supporting documents are submitted as evidence with this application:

Site Location Plan (1:1250): Outlining the application property boundary in red.

Existing and Proposed Block Plans (1:500 or 1:200): Illustrating the exact position of the structure and confirming no increase in ground coverage.

Existing and Proposed Floor Plans (1:50 or 1:100): Confirming the retention of the exact existing footprint and the reuse of the existing 200mm concrete base.

Existing and Proposed Elevations (1:50 or 1:100): Detailing the retained roof pitch, matching eaves/ridge heights, and the specification of the vertical larch cladding, bitumen shingle roofing, and anthracite fenestration.

Supporting Planning Statement: Detailing the sequence of operations, the established 20-year lawful use of the existing structure, and a comprehensive breakdown of how the proposed replacement complies with Class A Permitted Development criteria.

Select the use class that relates to the existing or last use.

C3 - Dwellinghouses

Information about the proposed use(s)

Select the use class that relates to the proposed use.

C3 - Dwellinghouses

Is the proposed operation or use

- ☒ Permanent
☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

A Lawful Development Certificate should be granted because the proposed works strictly comply with the limitations and conditions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.

The proposal involves the direct replacement and thermal upgrade of an existing, lawful 20-year-old conservatory. The development satisfies all Permitted Development criteria for the following reasons:

Maintained Footprint: The new timber-framed structure utilizes the exact existing 200mm concrete foundation, resulting in zero increase to the original ground coverage, width, or rearward projection.

Maintained Height: The roof pitch, eaves height, and overall ridge height remain identical to the existing lawful structure, keeping it well within the 4-metre maximum height limit for a single-storey extension.

No Material Enlargement: The cubic volume of the property is not being expanded beyond the already established envelope.

No Prohibited Features: The build does not include verandas, balconies, raised platforms, microwave antennas, or any alterations extending beyond the principal elevation of the original dwellinghouse.

Because the works constitute a one-for-one structural replacement that does not exceed any of the volumetric, height, or placement restrictions set out under Class A Permitted Development, the proposal is demonstrably lawful and does not require full planning permission.

Community Infrastructure Levy

Your development may be liable for a charge under the Community Infrastructure Levy if it involves new or additional gross internal area for residential and non-residential buildings, including extensions or a new dwelling. If your scheme is liable, this charge is payable after development begins.

Information on the CIL charges can be found on the local authority website. In London both Mayoral and local borough CIL charges may be applicable.

Your answers below, and in the application, will enable the local authority to establish if your development is liable for a charge and to calculate it accurately.

Further information on CIL, and what to do if you are liable can be found on the [Planning Portal](#).

It is an offence for a person to knowingly or recklessly supply information which is false or misleading in a material respect to a collecting or charging authority in response to a requirement under the Community Infrastructure Levy Regulations (2010) as amended (regulation 110, SI 2010/948). A person guilty of an offence under this regulation may face unlimited fines, two years imprisonment, or both.

Liability for CIL

Does the application include new build development (including extensions and replacement) of 100 square metres gross internal area or above?

☐ Yes

☒ No

Note: Answer No if either:

- the new or additional internal area only relates to a building into which people do not normally go or only go into intermittently for the purposes of inspecting or maintaining fixed plant or machinery; or
- the new or additional internal area solely relates to an internal/mezzanine floor and no other works or change of use are proposed.

Does the application include creation of one or more new dwellings (including residential annexes) either through new build or conversion (except the conversion of a single dwelling house into two or more separate dwellings with no additional gross internal area created)?

☐ Yes

☒ No

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☒ Yes

☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

☒ The agent

☐ The applicant

☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☐ Yes

☒ No

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

(a) a member of staff

(b) an elected member

(c) related to a member of staff

(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

☐ Yes

☒ No

Interest in the Land

Please state the applicant's interest in the land

☒ Owner

☐ Lessee

☐ Occupier

☐ Other

Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.
I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.
I/We also accept that, in accordance with the Planning Portal's terms and conditions:
- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Gavin Warnfeldt Rush

Date

01/09/2026